

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING
JANUARY 16, 2008
PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on January 16, 2008, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sheriff Gary Butler, Chairman
Detective Lee Ann Dobbertin
Deputy Director Dave Felix, representing Director Vanderpool
Attorney General Terry Goddard
Acting Deputy Director John Hallahan, representing Director Schriro
Chief Jack Harris
Chief Patricia Huntsman
Dr. Michael Polakowski
Chief Jerry Sheridan
Sergeant Robert Thompson

Members Absent:

Mr. Joseph Duarte
Ms. Wendy Larsen
Sheriff Chris Vasquez

Staff in Attendance:

Harry Atkins
Ted Brandon
Marie Dryer
Rosalee Fitch
Bob Forry
Tom Hammarstrom
Jon Heiden
Lynn Howe
Steve Jacobs
Lori Ketron
Gary Maschner
Lyle Mann
Sandy Sierra
Maria Valtierra
Rick Watling
Mark Zbojnowicz

Assistant Attorney General
Diana Stabler

A. CALL TO ORDER

Chairman Butler called the meeting to order at 10:04 a.m.

B. INTRODUCTIONS & RECOGNITION

Executive Director Hammarstrom presented Sgt. Brandee Ralston with a plaque in appreciation for her service on the Board from October 2006 to August 2007.

C. CONSENT AGENDA

The Consent Agenda was approved unanimously, motion made by Chief Harris, seconded by Chief Sheridan.

1. Minutes of the Regular Board meeting, held on November 14, 2007, were approved as written.
2. Minutes of the Charging Board meeting, held on December 19, 2007, were approved as written.
3. The next scheduled Charging Board meeting is Wednesday, February 20, 2008, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

The next scheduled Regular Board meeting is Tuesday, March 18, 2008, at 1:30 p.m. at the Esplendor Resort in Rio Rico, AZ.

4. Ministerial Actions:
 - a. Certification Waivers: LIST ATTACHED TO AGENDA PACKET.
 - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET.
 - c. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.
5. Decertification Case Status Report - As of November 30, 2007, the Compliance and Standards Unit had a caseload of 146 active cases. 14 cases are ready for initial presentation; 54 cases need further investigation; 16 cases are pending service of or response to a Notice of Complaint or Decision; 6 cases are pending hearing; 12 cases are ready for final action, and 44 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.

6.	Income and Expense Statement – November 2007	
	Funds as of November 1, 2007	\$ 1,155,036.89
	CJEF Revenue	507,387.25
	Expenditures/Encumbrances	(760,678.28)
	Balance for September 30, 2007	\$ 901,745.86

D. LEGISLATIVE UPDATE

Deputy Director Mann informed the Board about legislation that would be of interest to the Board.

E. SUMMARY OF CURRENT EVENTS

Director Hammarstrom informed the Board that the Basic Training and Advisory Group has met twice. He will provide a report to the Board at a future meeting.

F. COMMITTEE UPDATE

Deputy Director Mann informed the Board that the Rules Committee will be meeting on January 23 to discuss the legislation the Maricopa County Sheriff's Office plans to introduce and will also address the issue of steroids. The Rules Committee will also meet in March during the Arizona Law Enforcement Spring Conference in Rio Rico.

G. REPORTS

1. Basic Training

ALEA – Commander Markley reported they currently have six classes representing 17 agencies with 280 recruits. A new class will start February 4, 2008. The legal advisor for ALEA left and they are hoping to have a replacement soon. They will be starting a pilot program in April by adding a pre-academy day. This day will be the Monday before the academy starts and they will test recruits on physical fitness and introduce them to academy life.

Chandler-Gilbert Community College – Richard Clore reported their first class was in 2006. Class #2 will start January 19th with 13 recruits – 11 of these recruits are open enrollees and two are agency sponsored.

Mesa P.D. – Bob Gevase reported they graduated 31 recruits this past December. On January 28th they will start a new class with 38 recruits representing five agencies.

Pima County S.O. – Lt. David Peru reported they currently have a class with 36 recruits. Another class will start April 7, 2008, with approximately 40-45 recruits, all from the Pima County Sheriff's Department.

SALETC - Lt. Kevin Lane reported they have one class on campus with 41 recruits that is due to graduate January 31st. They will start a new class on February 11th with 80+ recruits. They will also have extra staff for this class.

3. Department of Corrections – Mr. Hallahan stated they continue to have a vacancy rate of 2.5%. They recently completed a canine academy and an agency from Beaumont, Texas participated in this academy. He thanked Phoenix P.D. for providing instructors for the academy.

H. FINAL ACTION CASES:

Case #1 – Johnny Chavez III – Phoenix Police Department

Chief Harris recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler and Jan Feltz, attorney for Mr. Chavez. Dr. Polakowski made a motion to adopt the Consent Agreement, stipulated Findings of Fact and to suspend until lapse (August 2008) peace officer certification, seconded by Chief Sheridan, motion carried with one nay vote.

Case #2 – James S. Hicklin – AZ Department of Public Safety

Deputy Director Felix recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Harris made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #3 – Brian R. Hounshell – Apache County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Deputy Director Felix, motion carried unanimously.

Case #4 – Thomas D. Kemper – Buckeye Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement Order and Decision for a six month suspension of peace officer certification beginning on June 15, 2007, and ending on December 15, 2007, seconded by Chief Harris, motion carried unanimously.

Case #5 – William T. MacDonald – Avondale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #6 – Bradley W. Conley – Scottsdale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Harris, motion carried with one nay vote.

Case #7 – Abelardo Gordo Jr. – Glendale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Harris, motion carried unanimously.

Case #8 – Michael A. Melvin – Kingman Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Deputy Director Felix, motion carried with one nay vote.

Case #9 – Mark J. Thompson – San Carlos Recreation and Wildlife

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and deny peace officer certification, seconded by Chief Harris, motion carried unanimously.

Case #10 – Emanuel R. Torres – Santa Cruz County Sheriff's Office

Detective Dobbertin recused herself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and deny peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #11 – Robert S. Wolfe – Glendale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Deputy Director Felix made a motion to dismiss this case, seconded by Mr. Goddard, motion carried unanimously.

I. NEW CHARGING CASES:Case #1 – Leigha M. Abbinanti – Lake Havasu City Police Department

Chief Huntsman made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Harris, motion carried unanimously.

Case #2 – Patrick S. Hubbartt – Gila River Police Department

Chief Sheridan made a motion to to close this case with **No Action with Agency Discretion**, seconded by Deputy Director Felix, motion carried with one nay vote.

Case #3 – Jeffrey M. Love – Clifton Police Department

Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Deputy Director Felix, motion carried with a three nay votes.

Case #4 – Daiv A. McBride – Yuma County Sheriff's Office

Chief Huntsman made a motion to ***Initiate Proceedings***, seconded by Mr. Hallahan, motion carried unanimously.

Case #5 – Robert R. McGowan – Glendale Police Department

Chief Sheridan made a motion to ***Initiate Proceedings***, seconded by Chief Huntsman, motion carried unanimously.

Case #6 – Adam Peterson – Maricopa County Sheriff's Office

Chief Sheridan recused himself from this case. Attorney General Goddard made a motion to request that staff conduct additional investigation, seconded by Dr. Polakowski, motion carried unanimously.

Case #7 – Warren K. Rivers – Navajo Nation Department of Public Safety

Detective Dobbartin recused herself from this case. Chief Huntsman made a motion to ***Initiate Proceedings***, seconded by Dr. Polakowski, motion carried unanimously.

J. CALL TO THE PUBLIC

No one wished to address the Board during the call to the public.

K. ADJOURN

Chairman Butler adjourned the meeting at 11:10 a.m.